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7 UNITED STATES DISTRICT COURT  
8 CENTRAL DISTRICT OF CALIFORNIA  
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10 THOMAS JOHN HEILMAN, ) CASE NO. CV 15-3256 JVS (FFM)  
11 Petitioner, ) ORDER ACCEPTING FINDINGS,  
12 v. ) CONCLUSIONS AND  
13 E. VALENZUELA, Warden, ) RECOMMENDATIONS OF  
14 Respondent. ) UNITED STATES MAGISTRATE JUDGE  
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16 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, all the records  
17 and files herein, and the Report and Recommendation of the United States Magistrate  
18 Judge. Petitioner has not filed any written Objections to the Report. The Court concurs  
19 with and accepts the findings, conclusions and recommendations of the Magistrate  
20 Judge.

21 IT THEREFORE IS ORDERED that (1) respondent's motion to dismiss is  
22 GRANTED; and (2) this action is dismissed for lack of jurisdiction, without prejudice to  
23 Petitioner filing a civil rights action under 42 U.S.C. § 1983.  
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25 DATED: November 2, 2015  
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27 JAMES V. SELNA  
28 United States District Judge